

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT COURT OF OKLAHOMA

1) BRENDA MATHIS )

Plaintiffs, )

v. )

Case No. CIV-21-235-SLP

1) CARCO, )

2) CARCO GAP, and )

3) COMPREHENSIVE AUTO )  
RESOURCES COMPANY INC. )

Defendants. )

**NOTICE OF VOLUNTARY DISMISSAL  
PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff Brenda Mathis, hereby gives notice that the above-captioned action is voluntarily dismissed, without prejudice, against all of the Defendants, CarCo, CarCo Gap, and Comprehensive Auto Resources Company Inc.

None of the Defendants have filed neither an answer to the Petition, nor a motion for summary judgment as to these claims. Dismissal under Rule 41(A)(1)(A)(i) is, therefore, appropriate. *See Carter v. United States*, 547 F.2d 258, 259 (5th Cir. 1977) (finding that a motion to dismiss is neither an answer, nor a motion for summary judgment).

Respectfully submitted,

s/Caleb M. Salmon

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Daniel Aizenman, OBA #30971  
Caleb M. Salmon, OBA #32272  
Aizenman Law Group  
5800 E. Skelly Drive, Suite 575  
Tulsa, Oklahoma 74135  
P: 918-426-4878  
F: 918-513-6080  
[caleb@aizenmanlaw.com](mailto:caleb@aizenmanlaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on March 19, 2021, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Gregory P. Reilly  
[greilly@hallestill.com](mailto:greilly@hallestill.com)  
*Attorney for Defendants*

s/Caleb M. Salmon